IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 24TH JANUARY 2007 / 4TH MAGHA 1928

Bail Appl..No. 391 of 2007()

CMP.42/2006 of J.M.F.C.-II, SULTHANBATHERY

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: PETITIONER/ACCUSED:

VARGHESE, S/O.ULAHANNAN,
MOLATH HOUSE, NEERVARAM, PANAMARAM AMSOM
SULTHAN BATHERY.

BY ADV. SRI.JIJO PAUL

RESPONDENT: STATE:

THE STATE OF KERALA, REPRESENTED BY
SUB INSPECTOR OF POLICE, PULAPPALY
POLICE STATION-THROUGH THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM, KOCHI-31.

BY PUBLIC PROSECUTOR SHRI JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 24/01/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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BAIL APPLICATION NO.391 OF 2007

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DATED THIS THE 24th DAY OF JANUARY, 2007

O R D E R

Petitioner who is the accused in Crime No.2/07 of Pulpally Police station for an offence punishable under section 55(a) of the Abkari Act for allegedly having been found in possession of 99 packets, each of 100ml, of illicit arrack in a KSRTC bus on 1.1.2007 and who was arrested on 7.1.2007, seeks his enlargement on bail.

2. Learned Public Prosecutor opposed the application submitting, inter alia, that the petitioner is an accused in two other cases involving similar abkari offences.

3. I am not satisfied that both the grounds enumerated under Clause (b)(ii) of Sec.41 A of the Abkari Act are present in this case so as to justify the release of the petitioner on bail.

This application is accordingly dismissed.

V.RAMKUMAR, JUDGE.

dsn/-